

Posted – January 21, 2014

THIS MEETING HAS BEEN POSTPONED TO MONDAY, JANUARY 27, 2014.

Posted – January 15, 2014

REGULAR MEETING JANUARY 21, 2014

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Tuesday, January 21, 2014 at 7:00 P.M. (6:00 PM – PRESENTATION) the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

PRESENTATION - 6:00 P.M.

1. Fielding Nair Report – Presented by Frank Locker and Jay Litman.

PUBLIC FORUM SESSION

2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

PRESENTATION

3. Memorandum of Tina Dolen, Executive Director, re: Request to consider reorganization of the Aquidneck Island Planning Commission Board of Directors.

CONSENT

4. Approval of Minutes, re: Regular Meeting, January 6, 2014.

5. Approval of Minutes, re: Special Meeting, January 7, 2014.

6. Communication of Steven W. Pristawa, P.E., Secretary, State Traffic Commission, re: Engineering Study of installing a midblock crosswalk on West Main Road (Route 138) at Rosedale Avenue.

7. Notice of Public Hearings two (2) from the Middletown Zoning Board of Review, re: Petition of Seaview Inn, LLC (owner), by their Attorney David P. Martland 1) for a Special Use Permit from Section 1106- for permission to construct portions of hotel facility and related infrastructure improvements in Zone 1 of the Watershed Protection District pursuant to plans filed with said petition and 2) for a Special Use Permit from Section 602 & 1400 et seq- to construct a hotel facility with 198 units and accessory uses pursuant to plans filed with said petition on real estate located at 240 Aquidneck Avenue, John Clarke Road & Valley Road, TAP 115, Lots 1X, 5, 53, 54 & 55.

8. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Donation of Surplus Books/Education Supplies – School Department.

9. Resolution of the Council, re: Donation of Surplus Books/Education Supplies – School Department.

10. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Donation of Surplus Fire Hose.

11. Resolution of the Council, re: Donation of Surplus Fire Hose.

12. Memorandum of Accounting Manager, thru Finance Director, re: Quarterly Tax Collector's Report as of 12/31/2013 – Town of Middletown.

13. Memorandum of Town Clerk, thru Town Administrator, with enclosure, re: Adoption of Cemetery Rules & Regulations. (This item will be acted on at the February 3, 2014 Regular Meeting of the Council.)

14. Memorandum of Town Clerk, thru Town Administrator, with enclosures, re: Approval of Cemetery forms. (This item will be acted on at the February 3, 2014 Regular Meeting of the Council.)

15. (Continued from Regular Meetings October 7, 2013, October 21, 2013, November 4, 2013 and November 18, 2013)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 36, Fee Schedule, Section 45, Burial Lots. (The Administration requests to continue this matter to February 3, 2014, Regular meeting of the Council)

16. (Continued from Regular Meetings, June 17, 2013, July 15, 2013, October 21, 2013 and November 18, 2013)

Memorandum of Gladys B. Lavine, Chair, Middletown Planning Board, with enclosures, re: Impact Fee Schedule Recommendation. (The Administration requests to continue this matter to February 18, 2014, Regular meeting of the Council)

17. Application of Middletown Senior Center, Middletown for RENEWAL of a Bingo License for the 2014-2015 licensing year.

OTHER COMMUNICATIONS

18. Public Notice from State Planning Council, re: Rhode Island State Rail Plan.

19. Communication of John W. Bagwill, with enclosure, re: Rail Extension – Aquidneck Island to Fall River (and the commuter rail system of the Massachusetts Bay Transportation Authority.)

TOWN COUNCIL COMMUNICATION

20. Memorandum of Vice President Sylvia, re: Budget Sub-Committee.

TOWN ADMINISTRATOR COMMUNICATIONS

21. Memorandum of Town Administrator, with enclosures, re: 2014

Legislative agenda.

22. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Proposed Change Order #5 – MIDD-013-002 Easton's Point Sanitary Sewer Spot Repairs.

23. Resolution of the Council, re: Proposed Change Order #5 – MIDD-013-002 Easton's Point Sanitary Sewer Spot Repairs.

24. Memorandum of Town Administrator, with enclosures, re: National Fish and Wildlife Foundation Hurricane Sandy Coastal Resiliency Competitive Grant Program.

APPOINTMENTS TO BOARDS & COMMITTEES

25. Appointment of two (2) members to the Beach Commission, one (1) term expiring November 2015 and one (1) term expiring November 2016.

26. Appointment of two (2) members to the Economic Development Advisory Committee, One (1) vacancy, term expiring January 2018 and two (2) vacancies, terms expiring January 2019.

27. Appointment of two (2) members to the Planning Board for terms expiring February 2017.

28. Appointment of one (1) member to the Roads and Utilities Advisory Committee for a term expiring January 2017.

29. Appointment of three (3) members to the Senior Citizens Board of Directors for terms expiring January 2017.

30. Appointment of two (2) members to the Tree Commission for terms expiring January 2017.

EXECUTIVE SESSION

31. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Potential Litigation and (2) Collective Bargaining (IBPO Local 534, IAFF Fire, Teamsters DPW and NEARI Town Hall Unions)

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk's Office at 847-0009 not less than 48 hours before the meeting.